

FRANCIS J. GIAMBALVO
FGIAMBALVO@GRSM.COM

GORDON & REES
SCULLY MANSUKHANI
YOUR 50 STATE PARTNER™

ATTORNEYS AT LAW
1 BATTERY PARK PLAZA, 28TH FLOOR
NEW YORK, NY 10004
WWW.GRSM.COM

MEMO ENDORSED

March 16, 2021

VIA ECF

Honorable Katherine Polk Failla, U.S.D.J.
United States District Court for the Southern District of New York
40 Foley Square, Room 2103
New York, NY 10007

Re: *Sierra v. Renue Systems of NY-NJ, LLC, et al*
Civil Action No. 1:20-cv-00399 (KPF) (DF)

Dear Judge Failla:

The undersigned is counsel for Defendants, Renue Systems of NY-NJ, LLC and Justin Chodos (“Defendants”) in the above-referenced matter. The parties jointly request an adjournment of the settlement conference scheduled for March 18, 2021 at 11:00 a.m. This is the parties’ second request for an adjournment of the settlement conference.

The parties have executed a term sheet with respect to the settlement. Accordingly, the parties have memorialized their settlement subject to execution of a formal written settlement agreement consistent with the term sheet and do not believe a settlement conference before Your Honor is necessary.

However, the parties need additional time to finalize a written settlement agreement and motion for court approval of the settlement. Accordingly, the parties request that the settlement conference be adjourned for two (2) weeks, until April 1, 2021, or a date thereafter that is convenient for the court. Defendants, with Plaintiffs consent, also request that their deadline to file a response to the Complaint be extended until April 15, 2021. The parties are optimistic they will be able to submit a motion for court approval of the settlement prior to April 11, 2021, which would obviate the need for a conference.

We thank the Court for its consideration of this correspondence and the foregoing request.

Respectfully submitted,
GORDON REES SCULLY
MANSUKHANI LLP
Francis J. Giambalvo
Francis J. Giambalvo

cc: All Counsel of Record (via ECF)

Application GRANTED. The conference scheduled for March 18, 2021, is hereby ADJOURNED to April 9, 2021, at 2:00 p.m. The parties are directed to notify the Court on or before April 6, 2021, if they do not wish to move forward with the conference. Defendants' deadline to respond to the Complaint is extended to April 15, 2021.

Dated: March 17, 2021
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE